UNITED NATIONS

General Assembly

FORTY-NINTH SESSION

Official Records

THIRD COMMITTEE
29th meeting
held on
Monday, 14 November 1994
at 10 a.m.
New York

SUMMARY RECORD OF THE 29th MEETING

Chairman: Mr. CISSÉ (Senegal)

CONTENTS

AGENDA ITEM 101: PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN (continued)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.3/49/SR.29
23 December 1994
ENGLISH
ORIGINAL: FRENCH

94-82232 (E)

The meeting was called to order at 10.25 a.m.

AGENDA ITEM 101: PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN (continued) (A/49/411, A/49/448, A/49/478, A/49/532, A/49/643; A/C.3/49/6, A/C.3/49/14)

1. Mr. ALVES (Brazil) said that with the adoption in 1989 of the United Nations Convention on the Rights of the Child, the international community had established the basic framework of a system of protection and promotion of the rights of one of the most vulnerable groups of society. The spirit and importance of the Convention, which was the most widely accepted human rights instrument with 166 signatory States, had been reaffirmed by the 1993 Vienna Declaration and Programme of Action. The adoption of the Convention and its fundamental principles (interests of the child, non-discrimination, right to life and right to participate) had led to unprecedented international mobilization in what was a new ethic for children. That had found an expression in the political arena when, in 1990, at the World Summit for Children, Heads of State and Government had made a commitment in the World Declaration on the Survival, Protection and Development of Children and its Plan of Action to implement those principles at the national level. Thenceforth the protection of children had become both a legal and a political priority.

2. The Convention stood at the centre of a set of organs and mechanisms which, both within and outside the United Nations system, made an active contribution to the promotion and protection of the rights of the child. Those organs included the Commission for Human Rights, the Working Group on Contemporary Forms of Slavery, the Special Rapporteur on the sale of children, child prostitution and child pornography, and the Committee on the Rights of the Child. That network had been complemented by new initiatives, such as the recent appointment of an expert, Mrs. Graçsa Machel, to study the impact of conflict on children, the negotiation of The Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, and the open-ended working groups recently established to elaborate two draft protocols aimed at extending the scope of the 1989 Convention.

3. Yet in spite of all those efforts children continued to be targets of abuse and violence all over the world. Children were the first victims of hunger and poverty, of conflict and war, of social and economic crises, and were the subject of degrading forms of abuse.

4. Brazil, which was a party to the Convention on the Rights of the Child and which had taken an active part in the elaboration of pertinent international instruments and had given full support to the establishment of the above organs and mechanisms, reiterated its commitment to full respect for the rights of the child. His Government was seeking to define the necessary juridical framework and to formulate appropriate economic and social policies in a difficult context of economic and social crisis. The Government had given wide publicity to pioneering actions and initiatives taken at the national level to improve the situation of children in the country.

5. For example, Brazilian society as a whole was engaged in a comprehensive initiative to fight hunger. The Government had distributed nutritional supplies to undernourished children in the north-east of the country, together with milk and soy-bean oil to infants and pregnant women throughout the country. Six million children and mothers were now benefiting from that programme. A wide-ranging campaign against hunger, launched in 1993 by the Brazilian sociologist Herbert de Souza with government support, had met with an unprecedented response resulting in the establishment of 3,346 people's committees to promote initiatives aimed at providing food for the poorest in the 27 States of the Federation.

6. His delegation firmly believed that efforts under way in the country would soon bear fruit and hoped that it would be feasible, through participation by the people and respect for democracy, to better the existence of children living under very difficult circumstances. Brazil was ready to support all international initiatives intended to protect children all over the world, just as Brazilian government and non-governmental agencies were cooperating in that endeavour at the national level.

7. As a democracy Brazil wished the fruits of its development to be shared by the population as a whole, and particularly by its almost 60 million children, who represented the future of the nation. The Government wished to give all of them access to all rights, including social, economic and cultural rights. Through an effective democratic system, with development and justice for all, it was hoped to end the vicious cycle of poverty which penalized Brazilian children. The Brazilian Government and society were the first to be shocked at acts of violence against children and adolescents in Brazil. They were outraged to see them used in what was now dubbed "porno-tourism". They were the first to protest against the irregular adoption of children, sometimes with the most revolting purposes.

8. Brazil was doing its utmost to end that situation and counted on the international community to join in its efforts to overcome those obstacles. In that regard it was essential to structure and develop the United Nations system for the protection of human rights in a more balanced and harmonious manner, giving equal importance to follow-up and the promotion of respect for human rights, including the rights of the child. In that connection he trusted that there would be a dramatic increase in international cooperation, which was sorely needed.

9. Mrs. RUBINSTEIN (Israel) said that it was a natural instinct to protect one's young, in what was a bond uniting all of humanity. Nevertheless, when States and parents were unable to protect those who could not protect themselves, the international community must be ready to assist. The suffering in Rwanda and Bosnia demonstrated yet again that children were the most vulnerable potential victims of the horrors of war. Further, times of crisis highlighted the urgency of measures to provide ongoing protection of the rights of children.

10. The 1959 Declaration of the Rights of the Child stated that every child had the right to affection, love and understanding; to adequate nutrition and medical care; to free education; to full opportunity for play and recreation; to a name and nationality; to special care, if handicapped; to be among the first to receive relief in times of disaster; to learn to be a useful member of society and to develop individual abilities; to be brought up in a spirit of peace and universal brotherhood; and to enjoy such rights regardless of race, colour, sex, religion, nationality or social origin. Unfortunately, war, poverty and underdevelopment had prevented the universal realization of those rights. It was therefore important to redouble efforts to eliminate the obstacles to their enjoyment. In that connection she commended UNICEF for its contribution around the world.

11. International efforts were important both in time of crisis as well as stability. Yet responsibility for national situations lay primarily with individual States. Accordingly efforts should be made to encourage progress at the national level. Her delegation noted with satisfaction the progress towards achieving the goals of the World Summit for Children and called attention to the important role of non-governmental organizations in helping to achieve national targets.

12. Societies should not take it for granted that their children were protected because the exploitation and abuse of the children was generally perpetrated by people in their immediate surroundings.

13. Israeli legislation protected children of all ages. Legislation such as the 1953 Employment of Juveniles Law, the 1962 Legal Capacity and Guardianship Law, the 1966 Protection of Dependent Persons Law and the 1988 Special Education Law guaranteed children's rights with regard to the family, education, employment, health and welfare. Israel was also a party to the Convention on the Rights of the Child.

14. In addition, the Israeli Government devoted a considerable amount of resources and energy to meeting the various needs of children. For that purpose, it had established a variety of services such as shelters for girls in distress, alcohol- and drug-abuse prevention programmes, home instruction for toddlers and their families, after-school enrichment programmes, a new children's hospital and various educational programmes.

15. Israeli education was geared to creating autonomous individuals and independent thinkers. Israel strove to give its children the tools to explore the world for themselves so that they would not be limited by the frameworks of the past. They would thus be able to join actively in efforts to improve their lives and society.

16. In Israel, various organizations played an important role in protecting the rights of children. For instance, in 1986, the National Council for Children had established the post of ombudsman for children and youth, who could receive complaints or be consulted on matters relating to children.

17. Israel attached great importance to international cooperation in promoting the welfare of children. The Golda Meir Mount Carmel International Training Centre had shared Israel's experience in the area of early childhood education with thousands of trainees from developing countries in Asia, Africa and Latin America. Israel looked forward to sharing its experience in education and children's health with all interested parties, including its Arab neighbours.

18. His delegation hoped that the historic changes that had occurred in the Middle East over the past year would bring about lasting peace in the region so that the children would no longer have to sleep in bomb shelters or lose their lives in their parents' conflicts.

19. Mr. VILCHEZ (Nicaragua), speaking also on behalf of Costa Rica, El Salvador, Guatemala, Honduras and Panama, commended the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography for his excellent report (A/49/478), the specific recommendations contained in it on ways to promote effective cooperation and coordination at the national, regional and international level, and mobilizing public and private support for the protection of children. He noted with satisfaction the in-depth study on the impact of armed conflict on children to be carried out by an expert appointed by the Secretary-General.

20. The Central American countries were gratified to note the inclusion in the agenda of the forty-ninth session of the General Assembly of the item on the promotion and protection of the rights of children, which was directly linked to all the social, humanitarian and economic issues dealt with in the Third Committee. Since children today were the main agents of future sustainable development, it was necessary to invest in them so as not to compromise tomorrow's progress, peace and development. For that reason, the Presidents of the Central American countries had, in recent years, endeavoured to improve the living conditions of Central American children through the regional commission on social affairs. The Tegucigalpa International Declaration on Peace and Development in Central America, which they had adopted on 25 October 1994, reaffirmed their strong determination to respect the commitments undertaken at the World Summit for Children and bring their legislation into line with the Convention on the Rights of the Child in order to promote sustainable development.

21. The Central American countries were deeply concerned about the alarming increase in armed conflicts throughout the world and the attendant violations of the fundamental rights of the children and women who were the victims, particularly in Bosnia and Herzegovina, and Rwanda. The international community should face up to its responsibilities in order to prevent that type of conflict from recurring and should join efforts to promote the physical and psychological recovery of children affected by war as well as other forms of violence such as armed struggle, intolerance, racism and xenophobia.

22. One should recall the message launched several days earlier by the Director-General of UNICEF, who had called for concerted efforts to strengthen groups acting on behalf of children and eliminate all the abuses to which

children were subjected. The Central American countries supported, in particular, his appeal for the complete elimination of land mines, insisting in that connection on the responsibility of the countries that exported such mines, which crippled so many children from developing countries, which did not have the means to provide them with the necessary care. Accordingly, they suggested, without in any way approving of the manufacture and sale of land mines, that the countries which exported them should set up an international fund, administered by UNICEF, to finance the provision of artificial limbs and medical care to the children who were the victims of those mines.

23. With regard to the problem of street children, who were deprived of access to education, health care and housing and were the victims of poverty, crime, prostitution and drug addiction, he commended the establishment by UNICEF of programmes to provide material assistance to those children through shelters, soup-kitchens and schools, in particular, as well as psychological support through the teaching of new behaviour and new values. Private initiative could also play an important role in that field. Those temporary solutions, however, should be accompanied by action to tackle the profound root causes of the problem: poverty and underdevelopment. For that reason, the Central American countries had recently formed an alliance to promote sustainable development, which the international community should support to the maximum extent.

24. The Central American countries supported the implementation of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, which was a suitable mechanism for reinforcing the efforts of the international community and took account of the concerns expressed by the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography in view of the increasing internationalization of those activities. The Central American countries were concerned about the increased trafficking in children in general, which came under the category of organized transnational crime and as such should be severely punished by the law. They considered the recent adoption of the Inter-American Convention on International Trafficking in Minors an important step forward.

25. To tackle all those problems effectively, further efforts were required to strengthen cooperation between the Committee on the Rights of the Child, the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography, the Working Group on Contemporary Forms of Slavery and the Commission on Crime Prevention and Criminal Justice in order to examine the effectiveness of programmes and the viability of existing options. At the national and regional levels, it was also necessary to improve collaboration and cooperation between the Centre for Human Rights, other United Nations bodies and Governments in order to formulate programmes and strengthen national legislation.

26. The Central American countries welcomed the entry into force of the Convention on the Rights of the Child, which they had all ratified. They believed it was very important that all countries should accede to it and support its optional protocols, and that the international community should

uphold those instruments systematically. They acknowledged that, at the national level, they still had much to do to guarantee all the rights established in those instruments, both in word and in deed, but they undertook to give priority to their practical implementation. They were aware both of their responsibilities and of the complexity of the task ahead of them and were counting on the international community to support and supplement their efforts to achieve lasting solutions. In conclusion, they emphasized the importance of strengthening the role of the family as the basic unit of society, in the promotion and protection of children's rights, a factor which should be taken into consideration in the activities in connection with the International Year of the Family.

27. Mr. SALANDER (Sweden), speaking on behalf of the five Nordic countries, said that children suffered the gravest violations of human rights. Persistent reports of neglect, summary executions, torture and the sexual and economic exploitation of children were a compelling reminder of the need to improve their situation worldwide.

28. Children were at their most vulnerable, however, in armed conflicts. Killings, rape, maiming, physical and psychological damage: the record was horrifying and shameful, in both the short and the long term. There was an urgent need to find effective ways to protect children in situations of conflict. In that connection, he welcomed the appointment of an expert to study that subject, as well as the progress report of the Secretary-General (A/49/643).

29. It was imperative not to allow children to participate in armed conflicts. The recruitment of thousands of children under 15 years of age into armed forces and armed groups and their participation in conflicts in different parts of the world provided frightening proof of the lack of compliance with existing norms of international law. Nordic countries had long advocated raising the minimum age for participation in hostilities from 15 to 18 years. In that connection they welcomed the decision taken by the Commission on Human Rights in 1994 to establish a working group to draft an optional protocol to the Convention on the Rights of the Child. They fully supported the elaboration of the protocol and intended to participate actively in the work of the working group, which had held its first meeting on 31 October 1994 in Geneva.

30. The sexual exploitation of children was an abhorrent practice that must be unequivocally condemned and countered. The cruelty and callousness behind child prostitution and child pornography contravened the most fundamental principles of human rights. Such violations, as well as the sale of children and the exploitation of child labour, showed a contemptible lack of respect for the inherent dignity of the child.

31. Street children were particularly vulnerable to exploitation. Not only did they lack a family, shelter, education and health care - the minimum to which every child should be entitled - but they were also exposed to deliberate killing and violence which threatened the most fundamental right of all, the right to life.

32. For that reason, the Nordic countries welcomed the recommendations of the Special Rapporteur on the sale of children, which, if followed by Governments, could lessen the suffering of exploited children. As an expression of the acute concern felt by the Nordic countries for the plight of those children, a first world congress on the commercial and sexual exploitation of children would be held in Sweden in August 1996.

33. It was essential that human rights should be implemented without discrimination. A girl child, in addition to being a victim of armed conflicts and to being exploited sexually and as child labour, was subject to the infringement of her bodily integrity. All States had a duty to put a stop to the traditional practice of female circumcision, which was harmful to the health of the girl child. The international community was now aware of the seriousness of that practice, which persisted because of a lack of political will or because of the failure of Governments to legislate, educate and inform the public.

34. However, since very often national efforts alone could not combat such violations of the rights of the child, international cooperation was necessary as a framework for national measures. Bilateral and multilateral assistance was important in that context. The Nordic countries underlined the importance of the role of the United Nations Children's Fund (UNICEF), which planned its country programmes in close cooperation with Governments, community leaders and non-governmental organizations. That approach had contributed to national capacity-building, public awareness and the development of human resources. The Nordic countries had a long tradition of active collaboration with UNICEF. They were also among its major donors.

35. They fully supported the goal, expressed in the Vienna Declaration and Programme of Action, of achieving universal ratification of the Convention on the Rights of the Child by 1995. However, ratification of the Convention was not enough; the States Parties must also make every effort to implement its provisions fully.

36. The Nordic countries were very concerned at the number of States Parties which had expressed reservations to the Convention. They would continue to object to that practice, which was contrary to international law and to the Convention itself, and would seek ways to persuade States not to express such reservations.

37. The Nordic countries fully supported the crucial work done by the Committee on the Rights of the Child in examining the reports of the States Parties. The Committee played a pivotal role in ensuring compliance with the Convention. In view of the Committee's extremely heavy workload, it was essential to provide it with adequate resources. The Nordic countries supported the recommendation that the Committee should hold a third annual session beginning in 1995, and that the pre-sessional working group should also hold a third annual session. That would be a step in the right direction.

38. In conclusion and to illustrate the importance of the topic under discussion, he cited a few figures. On that day alone, 35,000 boys and girls

would die. By the end of the year, 13 million children would have lost their lives. There were currently between 10,000 and 100,000 child soldiers in the world, many as young as eight or nine years of age. One out of every 20 of the world's children was the victim of a land-mine. One hundred million boys and girls were working to support themselves and their families. Many of them were sold into prostitution or were otherwise in bondage to their employers. Many were physically and mentally disabled as a result of various forms of confinement or hazardous working conditions.

39. Those were only a few examples of the sad reality. It was therefore not enough to manifest broad support for the protection of children. Commitments were credible only if they were accompanied by the measures necessary to give effect to the norms in effect in each country.

40. Mrs. GUSTAVA (Mozambique) said that the plight of children deserved consideration commensurate with the commitments made at the World Summit for Children. The Declaration and Plan of Action adopted at the Summit remained the most effective instruments for the attainment of the goals defined at that historic gathering.

41. The cause of children had also been advanced by the increased awareness resulting from the World Conference on Human Rights held in Vienna in 1993 and the International Conference on Population and Development held in Cairo. Similarly, it was to be hoped that the World Summit for Social Development in Copenhagen would produce recommendations which, in the context of social development, would help to alleviate the plight of children.

42. The war which had ravaged her country for so many years had brought untold suffering to millions of children of all ages. Thousands had lost their parents, others had been displaced or become refugees in neighbouring countries, and a great many had been forced to take part in the fighting, in the ranks of RENAMO. The state of war had denied the Mozambican children their fundamental rights, such as health care, nutrition, education and shelter. Regrettably, their suffering had not come to an end with the cessation of hostilities two years earlier. Thousands of children were still searching for their parents, others were living as street children in the main towns, and over 250,000 were orphans.

43. The situation called for an immediate response. The cessation of hostilities had given the Government of Mozambique an opportunity to implement measures to assist children living in difficult circumstances. Her delegation was pleased to announce that some of the programmes had been successful and that her Government was continuing to collaborate closely with intergovernmental and non-governmental organizations.

44. In that connection, her delegation paid a special tribute to all those who had spared no effort in the search for lasting solutions to reunite children with their parents, to reintegrate them into society and to alleviate the plight of orphans and street children. The Government was committed to incorporating a national programme for the child into its programme of national reconstruction.

45. She welcomed the decision taken by the General Assembly to recommend a comprehensive study on the impact of armed conflict on children. Her Government was ready to cooperate fully to enable the expert responsible for the study to complete her task successfully.

46. Mr. RATA (New Zealand) said that 167 countries, including New Zealand, had ratified the Convention on the Rights of the Child since its adoption in 1989. He urged the 23 countries which had not yet done so to accept the obligations of the Convention as soon as possible so that it could become the first truly universal law.

47. At the World Summit for Children in 1990, States had endorsed a World Declaration on the Survival, Protection and Development of Children and a Plan of Action for its implementation. Although there was now wider acceptance of the special needs of children and greater acknowledgement of the responsibilities of communities, States and the international community with regard to the protection of children, some 13 million children died each year as a result of acute poverty, malnutrition, disease, war, exploitation or neglect. Governments, regional and international agencies and non-governmental organizations needed to develop creative, action-oriented strategies to ensure the promotion and protection of the rights of children.

48. New Zealand was particularly concerned about the harmful effects on children of the armed conflicts occurring in many parts of the world and about the fact that, in some countries, children were recruited at a very young age to take a direct part in hostilities. His country had participated in the recent session of the working group by the Commission on Human Rights established to look into the issue. It favoured the adoption of an optional protocol to the Convention on the Rights of the Child which would raise the minimum age for recruitment into the armed forces and for participation in hostilities - although he was aware that such an instrument would require a certain flexibility in order to take account of the differences in policy in that area among States. His delegation was also concerned about the terrible effects which anti-personnel mines and all types of physical cruelty in wartime could have on children. Armed conflicts also left children orphaned, displaced and traumatized.

49. In his report on the sale of children, child prostitution and child pornography (A/49/478), the Special Rapporteur of the Commission on Human Rights pointed out that the sale of children was particularly common in Eastern Europe and in Central and South America and that child prostitution and child pornography were becoming increasingly transnational. The Special Rapporteur also discussed related issues such as child labour, the sale of children's organs and children suffering from AIDS. His delegation would be participating in the working group established by the Commission on Human Rights to draw up an additional optional protocol to the Convention on the Rights of the Child relating to the sale of children, child prostitution and child pornography, which was currently meeting in Geneva. The protocol should require States to exercise their jurisdiction over their nationals and residents engaging in sexual acts with children outside their territory. Such a measure would help to

combat child prostitution and exploitation outside the States concerned. His country was in the process of developing such legislation. Legislative amendments would also make the promotion and organization of child sex tours an offence when committed in New Zealand territory. His country also intended to draft legislation on domestic violence, which would permit applications for protection orders on behalf of children and the reciprocal enforcement of protection orders issued by other States.

50. Another issue which alarmed him, was the tragic plight of the growing number of street children, who lived in appalling conditions, and the murders and violence to which they were subjected. The World Conference on Women, to be held in Beijing in 1995, would give the international community an opportunity to devote particular attention to the protection of the rights of the girl-child and to achieve greater equality of opportunity for boys and girls.

51. His delegation acknowledged the important work being done by the Committee on the Rights of the Child, which had a heavy workload and limited resources. His delegation had been a sponsor of an initiative by the States Parties to the Convention on the Rights of the Child whereby the General Assembly would be requesting to authorize the Committee and its pre-sessional working group to hold an additional session. That request would shortly be considered by the Third Committee and he urged all delegations to support it.

52. Lastly, he emphasized the need for greater coordination between the various agencies and mechanisms working for the advancement of children, including the Commission on Human Rights and its subsidiary bodies, the Committee on the Rights of the Child, the expert responsible for the comprehensive study of the impact on children of armed conflicts, the Special Rapporteurs responsible for analysing situations of particular concern to the international community, and the recently established open-ended working groups.

53. Mr. AL-DOSARI (Bahrain) said that the Convention on the Rights of the Child, adopted in 1989, had provided a framework for international efforts to protect children, and the fact that it had already been ratified by almost all countries confirmed the importance of those efforts. The 1990 World Summit for Children had reaffirmed the determination of the international community to tackle children's problems by means of the World Declaration and the Plan of Action. Likewise, the adoption by the General Assembly of the resolution regarding the protection of children affected by armed conflicts illustrated the serious concern caused by the tragic situation of such children in many parts of the world. Regarding the decision (1994/91) of the Commission on Human Rights to set up a working group for the elaboration of a draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, it was an effective measure for the protection and reinforcement of the rights of children who were living in very difficult conditions as a result of armed conflicts.

54. To ensure the well-being of future generations, the first duty of the international community was to protect children from all forms of ill-treatment and exploitation. Bahrain supported all international efforts to that end and

upheld the principle that children should receive special protection and live in an environment favourable to their normal physical, emotional, spiritual and social development, with respect for human dignity. Bahrain had adopted laws to ensure the security and well-being of the family and of children in the areas of education and health, in accordance with the precepts of Islam. Likewise his Government had acceded to the Convention on the Rights of the Child because the principles contained therein were compatible with the social and family values of Islam.

55. Exploitation of children in all its forms (child labour, trafficking in organs, the sale of children, and child pornography) was an offence against human dignity. The most effective means of combating such practices was to promote family values and prevent the breakdown of the family unit. The disintegration of the family was very harmful to the psychological and emotional development of children, whether they came from a rich or poor background. His Government believed in more severe sanctions against persons responsible for the exploitation of children and stricter controls on such practices to prevent their proliferation. To protect children was the duty of all: the family, schools, civic and public institutions, and international organizations including the specialized agencies. In conclusion, he reaffirmed the very great importance his country attached to the family as the basic unit of society and as the natural environment for the development of all its members, particularly children.

56. Mr. SANTAPUTRA (Thailand) said that since the World Summit for Children in 1990, his Government had been working hard to meet the goals of the World Declaration adopted on that occasion. Thailand had acceded to the Convention on the Rights of the Child, and had incorporated all of the 27 Summit goals into the current National Economic and Social Development Plan. It had also adopted a National Declaration on Children for the period from 1992 to 2012, as well as a National Programme of Action with detailed strategies to address issues such as education, health, child labour, child sexual abuse, child refugees, street children, etc. With the participation of the Prime Minister, provincial Governors and mayors, 10 health and nutrition related goals had been fixed, and should be achieved by the end of 1995. In that context, his Government wished to thank UNICEF and non-governmental organizations for their support in implementing the programmes for children in Thailand.

57. Despite those efforts, children continued to be a vulnerable group in society, subjected to sexual abuse and exploitation by highly-organized criminals who operated irrespective of national boundaries. The alarming rate of increase in sexual exploitation of children was mostly due to the existence of global demand, responded to by local supply. Both sides of the problem should therefore be tackled simultaneously by means of close international cooperation.

58. While supply was mostly due to poverty and lack of education, the same was not true of demand, which arose from people from developed countries who came to developing countries to indulge in practices forbidden by their national laws. His Government had taken measures of both suppression and prevention to reduce

supply as well as demand, with the help of both the public and the private sector. Apart from more stringent enforcement of existing laws, two draft laws were being considered by Parliament, one concerning the sale and trafficking of women and children, and one concerning the prevention and control of prostitution. Those draft laws aimed at imposing severe penalties not only upon procurers but also upon customers of child prostitutes. In order to prevent and suppress trafficking in children, the National Economic and Social Development Plan focused on three major objectives: prevention, law enforcement, and assistance for rehabilitation. His Government strongly urged the other countries of the international community to support its efforts to put an end to that social problem, which affected all States in which money and profit had replaced traditional values, by punishing in their own countries those found guilty of sexual exploitation of children in other countries.

59. Mr. PARRILLA (Cuba) said that his Government considered it particularly important to fulfil its commitment made at the 1990 World Summit for Children to tackle the problems caused on the one hand by the selfishness and desire for consumption of the developed countries, and on the other by the increasingly flagrant inequalities and the generalization of poverty in the developing countries. The objectives fixed on that occasion coincided with the priorities of the social policy pursued by Cuba for more than 30 years in order to provide, in increasingly difficult conditions, education services and health care to the whole population and particularly to children. That concern for child welfare had extended to children from other countries, who had been welcomed and cared for in Cuba, particularly after the nuclear disasters at Chernobyl, in Ukraine, and Goiânia, in Brazil.

60. The World Declaration and the Plan of Action produced by the World Summit for Children, as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, formed a normative framework which took account of all the commitments entered into and all the objectives fixed by the international community. As for the Convention on the Rights of the Child, its importance made it absolutely imperative that the few countries which had not yet ratified it should do so sufficiently quickly for the goal of universal accession to be attained in time for the fiftieth anniversary of the United Nations. Acceding to the Convention, however, was not enough; it was also necessary to apply it. To that end, broader and more vigorous measures should be taken at the national and international levels. In that regard, Cuba was firmly opposed to the adoption of racist national legislation, such as Proposition 187 in the State of California, United States of America, which refused access to basic health, education and social security services to the children of illegal aliens living in that country. Such initiatives, taken for purely electoral purposes, constituted a violation of those children's fundamental human rights.

61. Recalling that the Commission on Human Rights had approved the establishment of two working groups to formulate draft optional protocols to the Convention, he said that the adoption of those two protocols, one concerning the participation of children in armed conflicts and the other the sale of children, child prostitution and child pornography, was essential in order to protect the

rights of children worldwide. The appointment of a Special Rapporteur of the Commission on Human Rights to consider the question of the sale of children, child prostitution and child pornography should also contribute to the eradication of such practices. The report of the Special Rapporteur, (A/49/478), although submitted late, provided irrefutable proof of the international scope of the problem of the sale of children. It should be noted that the United States of America was among the major destinations of the traffic in illegally adopted children, which was facilitated by the lack of any federal law against that type of criminal activity. The use of child labour was another widespread phenomenon in the United States, as indicated in the report. In major metropolitan areas, child prostitution and child pornography were served by the communication media and commercial advertising and the most modern technology. Other factors included the alarming economic situation and the poverty of parents in the developing world. Cuba therefore reaffirmed its full support for the Special Rapporteur and regretted that, despite his excellent work, he had resigned, notably owing to lack of the necessary support and cooperation from the countries which posed as major defenders of the United Nations.

62. Monsignor MARTINO (Observer for the Holy See) said that the promotion and protection of the rights of children throughout the world, particularly those who were victims of especially difficult circumstances, was an essential part of the apostolic mission of the Holy See. The Catholic Church placed the child at the heart of the Kingdom of God and had always endeavoured to meet the religious, spiritual, moral, cultural and material needs of children. Thus the Holy See supported an extensive worldwide network (schools, orphanages, hospitals, emergency medical services) dedicated to the welfare of children from the moment of conception. It provided particular support for children who were victims of the ravages of war and natural disasters. The Holy See had participated actively in the World Summit for Children and the preparatory process for the Convention on the Rights of the Child and had been the fourth State to accede to the Convention on 20 April 1990. The Holy See was particularly pleased that the General Assembly was focusing on the need to adopt effective measures to promote and protect the rights of children throughout the world who were victims of especially difficult circumstances, including armed conflict.

63. To the Holy See, the rights of the child were inseparable from the rights of the family. In keeping with that conviction, the Pontifical Council for the Family had organized five international expert meetings since 1991 to deal with the history of the rights of the child since antiquity and the role of the Catholic Church, the definition of the right to life from the moment of conception and a definition of the family, the problems associated with the breakdown of the family (sexual exploitation of children through prostitution and pornography, child labour, drug abuse, street children and sex education not linked to the teaching of values). The role of the family as the sacred nucleus of society was endorsed in the Programme of Action recently adopted at the International Conference on Population and Development held in Cairo in 1994.

64. The Catholic Church believed that through education, which was primarily the responsibility of the family, the innumerable problems of abuse of children throughout the world could be addressed. Nearly 41 million pupils attended 161,000 Catholic schools throughout the world. In addition, the Church had set up a large number of institutions to assist physically and mentally handicapped children, children with AIDS, street children, child prisoners and refugee children by providing them with the family environment needed for their development.

65. The Holy See had followed with great interest the work of the Special Rapporteur on the sale of children, child prostitution and child pornography, and it stood ready to offer its solidarity and support.

66. The Holy See was especially concerned by the plight of children who became the first casualties of war; it had, inter alia, established orphanages for them and special schools for the reintegration of child soldiers. The Pontifical Council for Justice and Peace had recently made reference, in a publication entitled The International Arms Trade: An Ethical Reflection to the unspeakable injuries inflicted by land mines, which caused unacceptable harm to civilian populations long after the cessation of hostilities. That document noted that the seven major industrialized countries had recognized that they could make a contribution to reducing the dangers of arms transfers. The Holy See looked forward with interest to the study on the impact of armed conflict on children and was ready to offer its full cooperation in that area.

67. It was the hope of the Holy See delegation that the work of the Third Committee would seek to respect the dignity of each child and the need to respond to each child's need for love.

68. Mrs. FONSECA (Venezuela) said that the promotion and protection of the rights of the child were two aspects of the same endeavour aimed at enhancing national as well as international delivery capacity in that area. The protection of the rights of the child required that an effort be made with a view to universalizing respect for such rights. In particular, it would be prudent to initiate activities to support values that were conducive to encouraging respect for the rights of the child in its daily activities.

69. As the most vulnerable members of society, children were also the strength and future of a nation. Any society that failed to take into account that reality was in danger of falling into decline. Her delegation therefore welcomed the fact that 167 countries had ratified the Convention on the Rights of the Child and hoped that other countries would soon follow suit. In that connection, she hailed the untiring efforts being made by the United Nations Children's Fund (UNICEF) through national and regional seminars and technical assistance activities to get all countries to ratify the Convention by 1995.

70. By ratifying the Convention in 1990, Venezuela had enhanced the protection afforded to children under chapter IV of its Constitution; that chapter, which dealt with social rights, guaranteed children comprehensive protection without any discrimination whatsoever and provided for legislation, bodies and special

courts to defend and protect minors. The public at large must be made aware of the need to maintain vital statistics and to simplify the system in order to make it more efficient and to ensure that all children were duly registered, sent to school, provided with health care and protected from neglect, exploitation and ill-treatment.

71. Society should not protect itself from children but should rather protect them. That was why her country was against the tendency to lower the age of criminal responsibility and make minors liable to the same penalties as adults. It was better to provide for the needs of minors and thereby prevent them from forming gangs of delinquents.

72. Concerning the exploitation of child labour, she recalled the efforts made by certain countries where that problem had taken on alarming proportions. The action undertaken in that area by UNICEF and the International Labour Organization (ILO) to have the relevant legislation amended and provide support for children's rehabilitation and vocational training programmes was encouraging because her delegation was convinced of the vital role that education played in stamping out the exploitation of child labour.

73. Deteriorating social indicators and the implementation of structural adjustment programmes had had a serious impact on the quality of life of the most vulnerable sectors of the population. Venezuela had implemented a compensatory programme for children under six years old; community care had been enhanced for children in that age group who came from poor families in order to meet their health care, nutrition and development needs, and major food supplement programmes had been launched for women who were pregnant or breast-feeding.

74. Her Government had institutionalized support for poor families by granting scholarships and food aid to keep children at school, in other words, to guarantee their right to primary education. Although primary education was universal, many children did not finish primary school because they had to find jobs in order to supplement the family income, a fact that was becoming all the more urgent as the country's economic situation became increasingly critical. Training programmes for children who dropped out of school should therefore be devised; the private sector and non-governmental organizations would have to play a prominent role in such an undertaking.

75. The situation of children affected by armed conflicts gave cause for concern. An end must be put to that flagrant violation of the rights of the child whose development was affected by the atrocities and trauma caused by such conflicts. In that regard, her delegation welcomed the interim report of Mrs. Graçsa Machel, who had been entrusted by the Secretary-General with the responsibility of studying the impact of armed conflicts on children and drafting an additional protocol to the Convention on the Rights of the Child, which would raise the minimum age for enrolment in the army to 18.

76. The international community must use all the tools at its disposal to fight against the abhorrent practices of the sale of children, child prostitution and

child pornography by paying due attention to the recommendations of the Special Rapporteur of the Commission on Human Rights on such practices.

77. UNICEF and other bodies should become more involved in preventing and rectifying situations where children were either maltreated or exploited in flagrant violation of the rights enshrined in the Convention on the Rights of the Child. Her delegation remained convinced that the international community should not rest until it had guaranteed full respect for the rights of the child.

78. Mrs. GERGAB (Libyan Arab Jamahiriya) said that despite the convening in 1990 of the World Summit for Children and the fact that many States had quickly signed or ratified the Convention on the Rights of the Child, not a day passed without reports appearing in the world mass media of the sale of children, child prostitution and child pornography, the exploitation of child labour or the transplantation of children's organs. In his interim report (A/49/478), on the sale of children, child prostitution and child pornography, the Special Rapporteur of the Commission on Human Rights stressed the international community's indifference to the tragic situation of children affected by such practices throughout the world. The international community must take up that challenge and must not be content with adopting resolutions, declarations and conventions, those would remain without effect unless they were accompanied by concrete measures to protect children who were the future of the world.

79. However, no measure that individual States might take would be effective unless there was a favourable international environment to enhance national measures especially in the area of the protection of children in developing countries. All the efforts made to provide children, under the legislation relating to the protection of children in the Libyan Arab Jamahiriya, with the services they required, particularly in the areas of education and health, and to implement maternal and child protection programmes had been seriously jeopardized by the unjust sanctions imposed by the Security Council on her country. For example, the sanctions had prevented thousands of children from being vaccinated or from receiving health care due to the lack of medicines or to the impossibility of travelling abroad to receive the treatment necessary, since the Sanctions Committee did not consider applications for authorization to airlift persons requiring urgent attention until it was too late, or decided, as a result of the intransigent attitude of certain members, not to grant such authorizations any more. One person who had been kept waiting for a week for such permission, had died.

80. The suffering caused to the vulnerable sectors of the population, especially the children of the Libyan Arab Jamahiriya, Iraq and other countries, by the unjust measures adopted by the Security Council, had prompted the Executive Director of UNICEF to express his concern to the Committee on 11 November 1994, at the situation of children living in countries upon which the Security Council had imposed sanctions; that organ was responsible for the maintenance of international peace and security, not for punishing children and the weak. Her delegation hoped that the study on the impact of armed conflicts on children entrusted to the expert designated by the Secretary-General,

Mrs. Machel, would address that question also and that ways could be found to avert the harmful consequences of the Security Council's measures. The General Assembly should also call upon the Security Council to lift those sanctions and to avoid such sanctions in future, invoking, instead, the provisions of the Charter of the United Nations relating to the pacific settlement of disputes between States.

81. Mr. ZHAO Yong (China) said that children represented the future of mankind; the survival, protection and development of children constituted the very basis of social progress and of mankind's future development. Mankind was therefore duty-bound to do its utmost to ensure the healthy development of children. At the legal level, the Convention on the Rights of the Child, adopted in 1989 at the forty-fourth session of the General Assembly, was the result of the combined efforts of the entire international community. His delegation was pleased to note that within a mere five years the number of States parties to the Convention had reached 166 and another nine had signed it, thus making it a universal international legal instrument. That demonstrated the determination of the international community to work for the promotion and protection of the rights of the child and proved that the Convention met the practical needs of that protection.

82. Children living under especially difficult circumstances, such as armed conflicts, needed special protection and assistance. There was a serious deterioration in the situation of children as a result of armed conflicts in certain parts of the world; the countries concerned and the international community should take appropriate steps to improve that situation. He was pleased to note that the Economic and Social Council had authorized the Commission on Human Rights to conduct a study on the question of protecting children in armed conflicts and raising the minimum age of recruitment into the armed forces and also to prepare an optional protocol on that subject with a view to preventing children from being dragged into armed conflicts.

83. The Chinese delegation was concerned over such serious violations of the rights of the child throughout the world as child labour, the sale of children, child prostitution and child pornography. The Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and the Programme of Action for the Elimination of the Exploitation of Child Labour, adopted by the Commission on Human Rights, had helped the international community to pay greater attention to those questions. He hoped that all countries would strengthen their cooperation and adopt effective measures to prevent and prohibit child labour, the sale of children and child prostitution and child pornography.

84. The Chinese Government had always attached great importance to the protection of the rights of the child. After signing the Convention, China had strengthened its legislation in that sphere by promulgating the Law on the Protection of Minors in the People's Republic of China. It was the first law in China devoted exclusively to the protection of children and constituted a guarantee for the implementation of the various provisions of the Convention in China. In order to implement the law effectively, the Chinese Government had

required all provinces, autonomous regions and municipalities to formulate specific plans for the application of the law in their respective regions before 1995.

85. It was illegal in China to use child labour, or to engage in the sale of children or child pornography. Those who obstructed rescuing activities were also subject to punishment. Criminal charges could be lodged against those who compelled children to perform dangerous jobs which might result in their death, injury or mental damage. Chinese law also provided severe penalties for those who violated the sexual rights of the child. The Law on the Protection of Minors in China also stipulated that parents or guardians had a responsibility to prevent and stop child prostitution. The Law prohibited the sale, rent or any other form of distribution of pornographic books, periodicals or videotapes to minors.

86. Since ratifying the Convention the Chinese Government had strictly implemented it. Two years earlier it had promulgated the Outline Plan for the Development of Children of China in the 1990s, which established 10 major targets and specific measures for the survival, protection and development of children in China by the end of the century. To date, 90 per cent of the provinces, autonomous regions and municipalities under the direct administration of the central Government had formulated their own implementation plans. A commission under the State Council devoted exclusively to matters concerning women and children had set up a group to monitor and evaluate the implementation of the local plans.

87. China's efforts to ensure the survival and development of children were to some extent restricted by its level of economic development. It would, however, continue to promote the protection of the rights of the child in a practical and effective manner and in the light of the country's specific situation. China was ready to exchange experiences with other countries in a common endeavour to create a peaceful and beautiful future for the children of the world.

88. Mr. ALI (Iraq) said that the promotion and protection of the rights of the child should be seen not only as a matter for individual States but also as a common international responsibility. The United Nations, represented in that sphere by UNICEF, should assume a leading role in that area.

89. In his introductory statement the Executive Director of UNICEF had spoken of the situation of children living in countries affected by economic sanctions imposed by the Security Council. There could be no denying the negative effects of such sanctions on the situation of Iraqi children. They had to cope with very real dangers: malnutrition, a serious shortage of medicines and vaccines, economic deprivation, appalling conditions with respect to sanitation and the spread of infectious childhood diseases which, though previously eliminated, had reappeared in the wake of the economic sanctions imposed on Iraq. The situation had been described by UNICEF officials both in Paris and in Iraq itself. According to recent statistics, the child mortality rate, which had stood at 25 per 1,000 in 1990, had reached 92 per 1,000 in 1992. The mortality rate of children under the age of five had increased over the same period from

42 per 1,000 to 128 per 1,000. His delegation was well aware that no one desired the death of Iraqi children. It was none the less true, unfortunately, that a veritable genocide was being perpetrated against Iraqi and Libyan children by States which continued to impose a state of siege on a country like Iraq, even though it had done all that was required of it under the resolutions of the Security Council. The imposition of economic sanctions on a State for political reasons should not strike at the most vulnerable sections of society, particularly not at children, who were entitled to medicine and food, the most elementary necessities.

90. Mrs. ROMULUS (Haiti) said that Haiti, which saw its children as the guarantors of its regeneration, believed that a child cared for with love would flourish, even in a world of degenerate values, but a maltreated or persecuted child would wither in its soul and slip into spiritual death. In 1959 all 78 States Members of the United Nations had voted unanimously in favour of the Declaration on the Rights of the Child, which was designed to protect the physical, mental and moral development of children. The Haitian delegation paid a tribute to the World Summit for Children, which had been held in September 1990 in an atmosphere of salutary and promising detente, and to the instruments which embodied the aspirations of the Summit: the World Declaration on the Survival, Protection and Development of Children and the Convention on the Rights of the Child. The objectives set by the World Summit would retain their relevance as long as any gaps or defects remained in the general development of children. The reduction of infant mortality and chronic malnutrition, and access to drinking water, sanitation facilities and universal basic education were the foundation of a humane civilization. The fetters of illiteracy, which was often linked to individual and national poverty, must be cast off. But the heavily indebted developing countries were tending to cut their education and health budgets. No society could achieve industrial growth and structural transformation without an adequate level of education. War also contributed to illiteracy: the United Nations Children's Fund estimated that there were 7 million children living in refugee camps without any adequate education arrangements.

91. Child prostitution, neither a new nor a rare phenomenon, had now taken on enormous proportions. A recent UNESCO conference in Brussels on the topic of sex trafficking and human rights had stressed that the lucrative trade in sex had made prostitution commonplace and eroded the taboos against the sexual exploitation of children. For child victims of sexual abuse who had lost the sense of their own dignity, the problems were legion: abandonment of their homes, drug addiction, alcoholism, depression, suicide attempts, delinquency, insomnia and learning difficulties. If children were to be protected, parents and teachers must understand the reality of the danger and endeavour to provide children with the knowledge, wisdom and ability to think which would keep them on the right road. The international efforts must be redoubled in order to inculcate in the modern world the principles and requirements of a new international ethics based in particular on the inviolability of the person and respect for the rights of children as defined in the Convention.

92. Long before his accession to power the President of the Republic of Haiti had come to grips with the major social problems which paralysed the development of Haitian society, in particular the plight of children, the poverty of women and the tragedy of young people. He had written a book called "La famille c'est la vie" and established an institution to take in street children and teach them, together with the concepts of dignity and education, the means of earning a respectable living.

93. Mr. SYLVESTER (Belize), speaking on behalf of the 12 States members of the Caribbean Community (CARICOM) and Suriname, said that the international community had reaffirmed that the rights of children, as a particularly vulnerable social group, must receive special protection. Even if for various reasons children were maturing earlier than before, they still remained children biologically, mentally, culturally and emotionally. The World Conference on Human Rights, held in June 1993, had therefore been right to reiterate the principle of "first call for children". The States members of CARICOM and Suriname, who were among the 167 States parties to the Convention on the Rights of the Child, urged the countries which had not yet done so to accede to the Convention so that it might achieve universal ratification before 2000. Despite all the efforts which had been made, the world remained the horrified witness of gross violations of the fundamental rights of the child such as sexual abuse, prostitution and other forms of exploitation of child labour, and the effects on children of illegal drugs trafficking. Advisory services must be made available to the States parties to enable them to harmonize their national legislation with the provisions of the Convention.

94. The plight of children living in particularly difficult circumstances due to political, economic and even environmental factors, to armed conflicts, terrorism and the violence driven by hatred and intolerance during civil unrest deserved the special attention of the international community. The countries members of CARICOM and Suriname strongly supported the recommendations of the Committee on the Rights of the Child on the improvement of existing standards in order to ensure the effective protection of children in situations of armed conflict and facilitate their physical and psychological recovery and social reintegration. They urged all the parties to armed conflicts to support the attempts to create "corridors of peace" and "days of tranquillity" to allow the passage of humanitarian aid and the evacuation of children from the conflict zones. They also urged that due attention should be paid to the provisions of resolution 48/157 on the protection of children affected by armed conflicts. They noted with great concern that in some cases it was children who fought wars. They therefore welcomed the appointment of the expert to undertake a study of the impact of armed conflicts on children, they had noted the preliminary draft optional protocol on the involvement of children in armed conflicts, and they were ready to give positive consideration to any instrument which the Working Group might recommend to the General Assembly for adoption.

95. The countries members of CARICOM and Suriname had supported resolution 48/136 on the plight of street children and resolution 48/156 on the need to adopt efficient international measures for the prevention of the sale of children, child prostitution and child pornography, and they had welcomed the

provisional report (A/49/478) which the Special Rapporteur of the Commission on Human Rights had prepared pursuant to resolution 48/156, a report which contained stark examples of the violation of the rights of the child.

96. Increased attention must also be given to the economic and social factors which worked against the welfare of children, for Governments were sometimes unable to allocate adequate resources to their social services owing to the impact of structural adjustment programmes and the difficulties arising from the inadequacies of the international trading system and from the debt problem. Such factors were certainly real but they must not be allowed to mask the responsibility of society and Governments to defend the interests of children. Priority should be given to measures to alleviate the structural problems which must inevitably entrench the difficult situation of children.

97. Improved education and greater public awareness of the rights of the child could only help in the efforts to overcome the special difficulties endured by a great number of children. The countries members of CARICOM and Suriname therefore urged the General Assembly to adopt resolutions calling on the Department of Public Information to bring the plight of children into closer focus. The collective resources and skills of the agencies and organs of the United Nations, international organizations, the International Committee of the Red Cross and other non-governmental organizations ought to be used to improve the monitoring and analysis of the problems of children and make them better known. The countries members of CARICOM and Suriname eagerly awaited the action taken in response to the recommendations of the Committee on the Rights of the Child about the provision of advisory services and the training of military personnel, law-enforcement officers, social workers and officials of juvenile courts.

The meeting rose at 12.45 p.m.